October 6, 2003

POLICY REPORT

RE: WIND POWER DEVELOPMENT

TOPIC:

The province of Ontario has recently established a new priority on renewable energy resources and has promised to make clean energy cheaper and more affordable.

Wind power is said to be the fastest growing alternate energy source in the world. The driving force behind the industry is the need to generate power and to reduce emissions and harmful waste from traditional power generation methods, which may lead to global climate change, acid rain and other pollutants.

The Niagara Escarpment Commission (NEC) is aware that sites are being studied and optioned for the establishment of wind power generation facilities within the area of the Niagara Escarpment Plan (NEP). Sites include the Bruce Peninsula, Grey and Simcoe Counties and the Niagara Region.

Parts of the Niagara Escarpment are favourably located because of relatively strong, constant prevailing winds and close proximity to existing transmission lines.

Commercial wind power developments within the NEP would be considered a utility and be subject to the Niagara Escarpment Development Permit process or, in parts of the NEP's Escarpment Recreation Area, a rezoning process. However, it is apparent from the design of the structures that they would have a visual impact on the Escarpment landscape.

ISSUE:

The issue facing the NEC is the compatibility of the wind power structures with the purpose, the objectives, the land use policies and the Development Criteria of the NEP and the *Niagara Escarpment Planning and Development Act* (NEPDA).

SUMMARY RECOMMENDATION:

1. *Industrial-type wind power developments should not be permitted in those portions of the NEP that are prominent for their scenic resources and natural values.*

2. *The NEC should consider amending the Niagara Escarpment Plan to prohibit, or limit, industrial-type wind power developments.*

BACKGROUND:

In October 2001, a task force made up of industry representatives with provincial technical support produced the report *Harnessing Wind Power in Ontario* which recommended the development of this alternative energy source. In December 2002, the Final Report of the Renewable Energy Task Team was presented to the Commissioner of Alternate Energy. The report provided advice on ways to implement the recommendations of the Ontario Select Committee on Alternative Fuel Sources, specific to water power and wind power. A short time later the Alternative Energy Commissioner announced that the government would establish a policy framework to deal with wind power sites on Crown land.

To be viable, wind turbines must generally be located in industrial type groupings. Industry information notes that, at present, a site should provide 100 megawatts of power to be commercially viable. This is achieved through the establishment of 50-70 wind towers.

The latest tower designs involve structures approximately 75-90 metres (250-300 feet) high to the hub, spaced about 500 metres (1650 feet) apart in staggered rows. The blades extend an additional 37-40 m (120-130 feet) above the hub height for a total height of 112-130 m (370 - 430 feet). The tower designs shown to staff were white in colour. In certain instances, aeronautical warning lights may be required.

The Commission has recently commented on the Ministry of Natural Resources (MNR) draft "Wind Power Development on Crown Land" policy which was posted on the Environmental Registry. The position the Commission adopted on this proposal is: *"that wind power development be precluded on Crown and MNR lands in the area of the Niagara Escarpment Plan*".

The NEC staff has met with representatives who are proponents of wind power on the Escarpment to exchange views.

ANALYSIS

A) Niagara Escarpment Planning and Development Act

The **purpose** of the *Niagara Escarpment Planning and Development Act* (NEPDA) is:

> *"to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment."*

The **objectives** of the NEPDA are:

1. to protect unique ecologic and historic areas;
2. to maintain and enhance the quality and character of natural streams and water supplies;
3. to provide adequate opportunities for outdoor recreation;
4. to **maintain and enhance the open landscape character** of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and **by preserving the natural scenery**; (emphasis added)
5. to ensure that all new development is **compatible with the purpose of the Plan;** (emphasis added)
6. to provide for adequate public access to the Niagara Escarpment; and
7. to support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the *Planning Act*.

B) Niagara Escarpment Plan

The Niagara Escarpment Plan is an environmental land use plan that seeks to ensure that development is compatible with the physical, environmental and scenic resources of the Escarpment. The carry capacity of a site is to be considered. The Plan contains the same purpose and objectives as the NEPDA.

The "Escarpment Environment" is defined by the NEP as "*the physical, natural, visual and cultural heritage features associated with the Escarpment landscape*".

Other defined terms which are applicable include:

Carrying Capacity - capacity of a site to support a use without substantial negative impact on environmental features such as water quality, natural vegetation, soil, wildlife population and visual attractiveness.

Compatible - where the building, structure, activity or use, blends, conforms or is harmonious with the Escarpment's ecological, physical, visual or cultural environment.

Open Landscape Character - the system of rural features, both natural and human-made, which makes up the rural environment, including forests, slopes, streams and stream valleys, hedgerows, agricultural fields, etc.

The Niagara Escarpment Plan is one of the few planning documents that is legislatively required to protect the visual landscape. The Escarpment is a visual feature.

Wind power is a utility, which is defined in the NEP as:

Utility - a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telegraph and telephone lines and other cabled services, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest, but does not include:

- the establishment of a new waste disposal site;
- any expansion or alteration to an existing waste disposal site from what has been approved under the applicable legislation (including any expansion in area or height of a landfill or any change in the type of waste material being disposed);
- incineration facilities (including energy from waste facilities),
- large scale packer and/or recycling plants or similar uses.

Utilities may be permitted in all designations of the NEP, subject to the Development Criteria of the NEP, and the requirements of local Official Plans, excepting that in the Escarpment Natural Area and Mineral Resource Extraction Area where only essential utilities are permitted. Essential is defined as:

Essential - that which is deemed necessary to the public interest after all alternatives have been considered.

Niagara Escarpment Plan – Development Criteria

The applicable Development Criteria of the Niagara Escarpment Plan pertaining to the protection of the Escarpment's scenic resources include:

General Development Criteria - Section 2.2

Section 2.2.1 (a) requires that the long term capacity of the site can support the use without a negative impact on the Escarpment environmental features such as.... visual attractiveness.

Section 2.2.1 (b) requires that the cumulative impact of development not have a detrimental impact on the Escarpment landscape.

Section 2.2.4 requires that development should be designed and located so as to preserve the natural and visual characteristics of the area.

Section 2.2.5 requires that where development involves new service corridors that their designation (and alignment) should be in harmony with the Escarpment landscape.

Utilities Development Criteria - Section 2.15

Section 2.15 provides criteria for proposed uilities and the stated objective of these criteria is to design and locate new and expanded. . . utility facilities so the least possible change occurs in the environment and the natural and cultural landscape.

Section 2.15.1 requires that all new utility facilities be designed and located to minimize the impact on the environment and be consistent with the objectives of the Plan. Design guidelines include:

e) Utility structures should be sited and designed to minimize visual impact.

h) The visual impact of utility structures should be minimized by siting, structural design, colouration and landscape planting in order to minimize the impact on the Escarpment environment.

In addition to the Development Criteria pertaining to the preservation of the visual resources of the Escarpment other Criteria of the NEP seek to minimize direct physical environmental impacts. It would appear that towers could be sited in many cases to avoid on-site impacts to steep slopes, wetlands and water resources, ANSI's, etc. However, a concern more unique to towers is their potential impact on bird populations, particularly that of raptors and migrating songbirds. Satisfying the Development Criteria in this regard may be more problematic although siting, lighting and migration monitoring methods may be used to mitigate this.

C) NEP Five Year Review

In 1999, a five-year review of the NEP was initiated by the Minister of Natural Resources, as required under the Act. Various aspects of the NEP were reviewed to ensure that the Plan was meeting its purpose and objectives. In the course of preparing the position papers, staff recommended the following new development criteria for incorporation into the NEP. The Commission and the Hearing Officers endorsed these Criteria. The Plan Review document is awaiting the Minister of Natural Resource's recommendation to Cabinet. This new Development Criteria would be particularly applicable to wind tower development(s):

2.3 Visual Landscape

The objective of this criteria is to ensure that new development maintains the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, ensures development is compatible with the natural environment, maintains or enhances the open landscape character of the Plan, preserves the natural scenery, and maintains the cultural heritage landscapes.

1. *Development at the Escarpment brow should be setback a minimum of 30 m (100ft.) or greater distance that ensures that the development is located and designed to preserve the continuity of the natural environment, the open landscape character and cultural landscape of the Niagara Escarpment and land in its vicinity. The setback may be varied to the satisfaction of the implementing authority provided a landscape analysis report is submitted by the applicant to demonstrate, to the satisfaction of the implementing authority, that the proposed development is set back sufficiently to protect the natural vegetation, the cultural landscape and the view of the Escarpment and land in its vicinity.*

2. *All development shall be located and designed to protect the views of the natural scenery, the open landscape character and cultural landscape of the Niagara Escarpment and land in its vicinity. A landscape analysis report shall be provided by the applicant where, in the opinion of the implementing authority, development has the potential to visually impact the natural scenery, open landscape character or cultural landscape of the Niagara Escarpment or land in its vicinity.*

3. *Development proposed adjacent to the Escarpment Natural Area, should be set back a minimum of 30 m (100 ft.) in order to protect the ecological integrity and open landscape character. The setback may be varied to the satisfaction of the implementing authority.*

4. *Exterior lighting shall be designed to be compatible with the Escarpment landscape. Indirect lighting is encouraged in order to minimize the impact of lights on the Escarpment landscape, nocturnal wildlife, and adjacent land uses.*

D) <u>Policy Review - Communication Towers</u>

The Commission has dealt with numerous applications over the years for towers (generally communications towers) at various locations along the Escarpment. A major consideration in dealing with these applications is the visual impact on the Escarpment's landscape and scenic resources and compliance with the related Development Criteria of the Niagara Escarpment Plan. Because of the significance of this issue, the Commission's Landscape Architect prepared a three-part policy review on Communication Towers in the mid-90's.

<u>Communication Towers - Part II</u> addressed the visual impact of towers on the Niagara Escarpment. This report identified the following factors as having an influence on the visual impact of a tower structure:

1. The physical characteristics of the tower

   This factor identifies the physical construction of the tower. A guyed tower obtains some support and stability from the guy wires while a self-supporting tower has a significantly larger base and bulkier members and is therefore more visually obtrusive than a self-supporting tower of the same height.

The long, rotating blades of a wind tower add a significant visual component to wind generation-type towers.

2. The environment surrounding the tower

   The setting in which the tower is located will influence its visual impact. Where the tower is silhouetted against the horizon with little other development in the area, the tower will be a dominant feature and will visually stand out. Conversely, in a complex setting, e.g., a heavily developed industrial area, a tower may be dominated or camouflaged by the surrounding development.

3. Disposition and visual preference of people viewing the tower

   The scenic beauty of a landscape is a powerful determinant of the magnitude of scenic impact caused by changes in the landscape. Towers will have more of a negative impact on scenes of high attractiveness than on less scenic areas.

4. Visibility of the tower

   A visual analysis of the landscape is needed to determine how often a particular landscape is viewed and from where.

5. Distance of the observer from the tower

   The scenic impact of a tower will decrease more rapidly with increasing distance in a scene which contains the most vegetative and topographic complexity. As the distance increases, the tower becomes less of a focal point and the observer's attention is diverted by the complexity of the scene. The most scenic impact occurs in the areas up to 1 km distance, however, distances beyond this should not be considered insignificant.

In 2001, the Commission adopted two subsequent policy reports regarding radio and tele - communication towers - *Radio and Telecommunication Towers and Facilities and its Regulation in the Area of the Niagara Escarpment Plan*, and *Telecommunication Towers and Facilities: Siting, Landscaping, Camouflaging, Alternative Options*.

The NEC adopted a protocol to deal with telecommunications facilities proposed within the area of the NEP. The use of a protocol allows the Commission to evaluate and make recommendations on new or expanded telecommunications facilities in a manner which recognizes the overlap between federal and provincial interests in this area.

The Commission also adopted additional guidelines related to the siting, design and landscaping of telecommunication facilities. These guidelines re-emphasized the Commission's position that communication towers should not be permitted on highly visible prominent Escarpment landscapes and should be carefully sited, camouflaged and landscaped in less visible areas where visual impact could be mitigated.

Through these NEP and policy reviews, it is clear that the matter of the impact of towers on the Escarpment viewscape has been a significant issue over the years and one that the Commission has extensively considered and deliberated.

It has proven to be difficult to adequately mitigate the visual impact of towers on the Escarpment landscape, and the Commission has consistently recommended that alternate sites outside the boundaries of the NEP be considered prior to encroaching into the NEP area.

E) Wind Power on Crown Lands - EBR Posting

This policy was proposed by the government to establish a policy framework to deal with wind power sites on Crown land as announced by the Alternative Energy Commissioner. This policy deals primarily with allocation, pricing and tenure and the approval processes under the *Environmental Assessment Act*. The policy pertains to Crown land and lands held by the Ontario Realty Corporation for the Ministry. The purpose of the policy proposal is to test, monitor, and where viable, develop Crown land resources, provided the project contributes to the environmental, social and economic wellbeing of the Province. Crown and government owned properties are not generally subject to Development Permit regulation. Little Crown land is found in the area of the NEP. Other lands held for the Province are primarily public lands in the Niagara Escarpment Parks and Open Space System (NEPOSS).

The Commission adopted the following position on this proposed policy:

> *That the NEC inform the MNR that the policy proposed by the Ministry should preclude wind power development on Crown land and other MNR lands held for the Ministry in the areas of the NEP for the following reasons:*
>
> 1. *Crown and Ministry lands in the area of the NEP consist primarily of lands acquired, held, and developed for parks and open space purposes;*
> 2. *Wind power facilities are incompatible with the policies and objectives set out for the Crown and MNR lands in the Niagara Escarpment Parks and Open Space System;*
> 3. *Crown and Ministry lands in the NEP cover a relatively insignificant percentage of the Province and their use for wind power facilities cannot be justified in the area given the Escarpment's environmental and visual significance;*
> 4. *The purpose and objectives of the Niagara Escarpment legislation and the Niagara Escarpment Plan do not lend themselves to the establishment of wind power facilities on Escarpment parks and open space; and*
> 5. *The Development Criteria and policies of the Niagara Escarpment Plan would rule out the locating of wind generating facilities on Crown MNR lands in Niagara Escarpment Plan area.*

F) Development Permit Applications and Related Reports / Proposals

The Commission has dealt with a number of applications for individual wind power turbines:

Zoning By-Law Amendment, John Worts - The Commission reviewed this application to amend the Collingwood Twp. zoning by-law to permit a 28 m (98ft.) wind turbine with 10 m (30 ft.) diameter blades on property located on the face of the Escarpment south of the Blue Mountain ski resort/Scenic Caves resort. The Commission advised the Township that it had no objection to the proposal, subject to siting to minimize protrusion above mature tree cover on the slope.

However, because this tower was one of the first structures of this type to be reviewed by the Commission, staff recommended, and the Commission concurred, that a report evaluating the impact and compatibility of the tower on the Escarpment landscape be prepared *after* the tower was erected. This report noted that due to the unique components of a wind tower, and the scenic prominence of the Escarpment slope on which it is located, the tower had much more visual impact than was anticipated. **The report concluded that in a majority of cases, wind generator towers may not be able to satisfy the applicable Development Criteria of the NEP**.

Superior Wind Energy Proposed Project - No applications have been submitted as yet for this project which proposes the establishment of ± 67 wind turbines, at a density of 2 - 3 turbines per 40 ha (100 acres), over an extensive area above the Escarpment in the Town of The Blue Mountains and the Municipality of Grey Highlands. The majority of the project area has been withdrawn from the NEP lands after public meetings showed a lack of support for towers being located on highly visible sites atop the Escarpment. However, certain lands within the Escarpment Recreation and Rural areas of the NEP are still included in the revised project area.

H/A/03-04/120, Thoman - This application in Halton Hills, proposes to construct a 38 m (125 ft.) guyed wind turbine tower to service an existing agricultural operation. The tower would be mounted with a wind turbine measuring 5 m (15 ft) in length, with a rotor diameter of 7 m (23 ft). The property is designated Escarpment Protection Area. The review of this application is underway.

W/R/99-00/168, Halford - This application in Flamborough, Hamilton-Wentworth Region proposed a guyed, 36 m (120 ft.) wind power generation tower to supplement private use. The location was in the Escarpment Rural Area designation. Staff recommended the application be refused, as there were no other towers in the immediate vicinity, and because of the impact it would have on the Escarpment landscape. The Commission approved the application. The Commission's decision was appealed by a neighbour on the basis of negative visual impact and location. The Hearing Officer recommended approval on the condition that a new site be agreed on by the applicant and the appellant. The Minister accepted the Hearing Officer's recommendation. A Development Permit was issued.

D/P/92-93/108, Toronto Board of Education – This application in Mulmur Twp., Dufferin County proposed a 30 m (100 ft.) wind tower to be used in conjunction with an ecology centre at the Boyne River Natural Science School. The facilities are located within the Escarpment Natural Area designation. Staff recommended the application be refused. The Commission accepted the staff recommendation. The Hearing Officer recommended approval, as an accessory use to the school facility, after certain design changes. The Minister approved the application. A Development Permit was issued.

B/S,R/85-86/112, Wesseling - This application in St. Edmunds Twp., Bruce County proposed a 22 m (72 ft.) wind tower accessory to a residential use. Staff recommended the application be approved subject to the tower colour being selected to reduce visual impact. The Commission approved the application. The Commission's decision was appealed by a neighbour on the basis of negative visual impact. The Hearing Officer recommended approval. The Minister rejected the appeal. A Development Permit was issued.

G) NIAGARA ESCARPMENT BIOSPHERE RESERVE

In 1990, the United Nations Educational, Scientific and Cultural Organization (UNESCO) named Ontario's Niagara Escarpment a World Biosphere Reserve. This designation recognizes the natural features and ecological importance of the Escarpment and endorses it's management through the Niagara Escarpment Plan.

The Plan is Canada's first large-scale environmental land use plan. It balances protection, conservation and sustainable development to ensure that the Escarpment will remain substantially as a natural environment for future generations.

Biosphere reserves contain land used for a variety of purposes. The preserved natural areas in reserves are a standard with which to measure the effects of human activity on the environment.

Wind power production, on its face, appears to be an example of the type of sustainable development generally promoted by the objectives of the Biosphere Reserve program. However, the management of each individual Biosphere Reserve is achieved through the management plan that is in place for that reserve, in this case the NEP. The NEP policies may, or may not in all instances, support all types of wind generation, depending on the nature and scale of the proposal, the policies of the NEP land use designations, and the development criteria that applies from site to site.

For clarification, the Biosphere Reserve designation bestowed on the Niagara Escarpment by UNESCO would not be altered or revoked if major wind power facilities were found to be generally incompatible with the purpose, objectives and policies of the NEP. The NEC as administrator of the NEP makes the determination, subject to appeals, etc.

H) OTHER POLICY

It has been noted that other jurisdictions in the province that contain significant natural, cultural and scenic resource areas have put in place limitations precluding the use of such lands for wind power facilities. These areas include parts of the **Kawartha Highlands** and the **Great Lakes Heritage Coastline**. A number of Escarpment municipalities are also considering Official Plan policies that would prohibit or limit commercial wind power developments.

I) COMMENTS RECEIVED

Submissions have been submitted for the Commission's consideration by **Superior Wind Energy Inc.**, the **Canadian Wind Energy Association**, the **Blue Highlands Citizens Coalition** and the **Township of Clearview**. These submissions represent strongly held positions both for, and against, wind farms.

COMMENT

The Niagara Escarpment Commission has dealt extensively with the issue of the visual impact of tower structures (generally telecommunication towers) on the Escarpment landscape through various development proposals and several Policy Papers. These reviews have consistently upheld the objectives of the NEP; that is, to preserve the natural values of the Escarpment with an emphasis on preserving its natural scenery.

The permitted uses and development criteria of the NEP, in many instances, do not lend themselves to supporting tall, highly visible structures such as telecommunication and wind towers, above the Escarpment horizon. The policies and criteria promote maintaining and enhancing the open rural landscape and attractive vistas associated with the natural and cultural landscape of the Escarpment. The artificial appearance and prominent nature of many telecommunications towers often make it very difficult to satisfy the provisions of the NEP. In addition, the Commission's experience has been that the majority of towers, even where they have been approved, have resulted in significant landowner opposition and appeals of Development Permit Application decisions.

Communication towers differ in that, unlike wind "farms", these facilities are usually single structures sited a distance apart. This would, on balance, make them less intrusive than fields of wind turbines. As well, telecommunication towers can be reduced in height, in many instances, to help eliminate visual intrusion.

The Commission has dealt with a number of wind towers and has expressed concerns about visual impacts, as have neighbouring property owners through appeals. A number of towers have been approved by the Commission, and others refused. In the case of a wind tower located on the Escarpment slope in an Escarpment Recreation Area designation, a review of the structure, once constructed, concluded that: *in a majority of cases wind generator towers may not be able to satisfy the applicable Development Criteria of the NEP.*

In reviewing the factors that influence the visual impact that telecommunication tower structures have on the landscape, it is apparent that there is little ability to mitigate or minimize their visual impact. These factors apply equally to commercial wind towers, particularly of the size, height, and required numbers, that is the current state of the art. Such towers could cover large areas and would be visually prominent from many locations. The policies of the Niagara Escarpment Plan pertaining to the preservation of the natural scenery would not be easily achieved given the scale of the wind farm projects (i.e., 50-70 towers to be commercially viable).
It is acknowledged that wind power technology has the potential for considerable benefits to the environment in terms of renewable, non-polluting power generation. This type of power generation is clearly in the public interest in a number of ways. However, the issue is whether the highly valued natural and scenic resources of the Escarpment should be detrimentally affected for the sake of achieving benefits from another resource.

It is unfortunate that a "green" facility that has obvious benefits to the environment comes in the form of massive human-made artificial structures that would tower over the surrounding landscape and dominate viewscapes. However, the Commission has been consistent in determining that highly visible human-made structures are generally not compatible with the purpose and objectives of the NEP, despite their other benefits and attributes.

There may be places more suited to wind farms. However, it does not seem appropriate to locate commercial wind turbine facilities in an area that is protected largely for its natural and scenic resource values. These values contribute immeasurable social, economic, environmental and tourism benefits to the people of the province, and it is in keeping with the purpose and objectives of the NEP to maintain these values, even in the face of the benefits that may be derived from wind power generation.

The negative aspects of wind generation would appear to outweigh the need to locate the facilities within the natural viewscapes of the Escarpment. While developable wind resources vary between locations, it is noted that the technology is still emerging. The resource is largely untapped and there will be alternative locations available off the Escarpment. It is, therefore, the position of this paper that industrial-type wind power developments should not be permitted in those portions of the NEP that are prominent for their scenic resources and natural values. This would include Escarpment Natural Areas, Escarpment Protection Areas, most Escarpment Recreation Areas and portions of the Escarpment Rural Areas that make up part of scenic landscape units.

Additionally, in the Mineral Resource Extraction Area designation (as well as the Escarpment Natural Area) only <u>essential</u> utilities are permitted. (Essential is defined as: that which is deemed necessary to the public interest after all alternatives have been considered.)

This position is justified on the basis of the purpose and objectives of the NEPDA and the NEP, the applicable Development Criteria of the NEP, the Policy Papers on Communication Towers, and the NEP Five Year Review policies which have all addressed this matter in various ways.

In support of the benefits of wind power, private individual, smaller scale household or farm wind generators can be considered on a case by case basis as uses accessory to existing uses, throughout the NEP designations, as has been done in the past through the Development Permit review process. These would be much less intrusive than a commercial wind farm.

Finally, the issue of wind power generation is an emerging issue presently in a state of study and flux as is the issue of power generation in general. As one example, there are discussions about the possible future development of the Sir Adam Beck 3 power generation facility at Niagara Falls, if the project were to proceed, that may serve to address some current energy needs within the Province sustainably. Conservation programs to reduce demand are also being considered and promoted.

Few commercial wind parks have been established in Ontario; a new industry is emerging, which may be subject to legislative and regulatory changes. Therefore, this issue should be revisited by the Commission at an appropriate future time, e.g., after a major wind park development has been established and evaluated in a jurisdiction other than the NEP. There is precedent for limiting this use in other Provincial planning jurisdictions (e.g., Kawartha Highlands, Great Lakes Heritage Coastline).

It should be noted that the NEC could not explicitly prohibit commercial wind farms in the NEP, given the existing definition of utility. This could only be achieved through an amendment to the NEP to modify the definition to limit or eliminate this type of facility as a permitted use under the definition. The NEC would, therefore, be legally required to process applications in all designations should proposals be filed.

RECOMMENDATION:

The Commission should adopt the following position on wind power towers:

1) The Commission supports the concept of wind power generation in appropriate locations in the province. The area of the Niagara Escarpment Plan should not, however, be the focus of large-scale industrial-type wind power development. The emphasis must be on preserving the natural scenery in the Escarpment corridor over the long-term.

2) The Niagara Escarpment Plan was established *"to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment*." A key objective is to "*maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery*". As such, large scale industrial-type wind power developments should not be permitted in those portions of the NEP that are prominent for their scenic resources and natural values. This would include Escarpment Natural Areas, Escarpment Protection Areas, portions of Escarpment

Recreation Areas, and portions of the Escarpment Rural Areas that make up part of sensitive scenic landscape units.

3) Individual, smaller scale household or farm wind generators can be considered on a case by case basis as uses accessory to existing uses, throughout the NEP designations, as has been done in the past through the Development Permit review process.

4) The Niagara Escarpment Commission should review wind power proposals in areas adjacent to the Niagara Escarpment Plan boundaries which may have a visual impact on prominent Escarpment features and landscapes, and provide comments based on the affects the facility(s) may have on the Escarpment landscape.

5) Finally, the issue of wind power generation is an emerging issue presently in a state of study and flux. Few commercial wind parks have been established in Ontario; a new industry is emerging, which may be subject to legislative and regulatory changes. Therefore, this issue should be revisited by the Commission at an appropriate future time, e.g., after a major wind park development has been established and evaluated in a jurisdiction other than the NEP, at which time the Niagara Escarpment Commission should consider amending the Niagara Escarpment Plan to prohibit, or limit, the use.

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